

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

4:06cv03183  
4:06cv03184  
4:06cv03189

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

AUG 29 2006

2006 SEP 25 PM 1:12

**DOCKET NO. 1657**

FILED  
CLERK'S OFFICE

OFFICE OF THE CLERK

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS  
LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-63)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 4,267 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

SEP 14 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE CTO-63 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 2 06-678	William Hazel v. Merck & Co., Inc.
ARKANSAS WESTERN ARW 5 06-5149	Owen Wallace, et al. v. Merck & Co., Inc.
CALIFORNIA EASTERN CAE 2 06-774	Salvador Monroy v. Merck & Co., Inc.
CALIFORNIA NORTHERN <del>CAN 4 06-4794</del>	<del>Patrick E. Murphy v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06
FLORIDA NORTHERN FLN 1 06-131	Stanley Anderson v. Merck & Co., Inc., et al.
GEORGIA NORTHERN GAN 1 06-1750 GAN 1 06-1755	Millard Yancey v. Merck & Co., Inc. Howard E. Taylor v. Merck & Co. Inc.
ILLINOIS NORTHERN ILN 1 06-4089	Shirley Horwitz, et al. v. Merck & Co., Inc., et al.
KANSAS KS 2 06-2332	Sue Shipman v. Merck & Co., Inc.
MINNESOTA MN 0 06-3274 MN 0 06-3275 MN 0 06-3285	Marilyn D. Behrendt v. Merck & Co., Inc. Marcheta E. Van de Streek v. Merck & Co., Inc. Virginia Ballard, et al. v. Merck & Co., Inc.
MISSOURI EASTERN <del>MOE 4 06-1185</del> <del>MOE 4 06-1186</del> <del>MOE 4 06-1187</del> <del>MOE 4 06-1196</del>	<del>Vivian Copher, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Inez Kincaid, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Richard Helton, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06 <del>Minnie Smith, et al. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/13/06
MISSISSIPPI SOUTHERN MSS 3 06-420	Ann B. Stringfellow, etc. v. Merck & Co., Inc.
NEBRASKA NE 4 06-3183 NE 4 06-3185 NE 4 06-3187 NE 4 06-3189	Stanley L. Applegate, et al. v. Merck & Co., Inc. William E. Lindsey, Sr., et al. v. Merck & Co., Inc. Jerry R. Crofford v. Merck & Co., Inc. Duane E. Noragon, et al. v. Merck & Co., Inc.
NEW JERSEY NJ 3 06-3685	Brenda Carter v. Merck & Co., Inc.
NEW YORK EASTERN NYE 1 06-3811	Jairo Salazar v. Merck & Co., Inc.

## SCHEDULE CTO-63 - TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
NEW YORK SOUTHERN NYS 1 06-5897	Veronica Francis, etc. v. Merck & Co., Inc.
NEW YORK WESTERN NYW 6 06-6408 NYW 6 06-6409	Rosemary A. Ruisi v. Merck & Co., Inc., et al. Doris K. Roworth v. Merck & Co., Inc., et al.
OHIO NORTHERN OHN 1 06-1927	Barbara Thornhill, etc. v. Merck & Co., Inc.
OKLAHOMA EASTERN OKE 6 06-293	Irene Merritt v. Merck & Co., Inc.
OKLAHOMA NORTHERN OKN 4 06-392	Stephen N. Lynch, etc. v. Merck & Co., Inc.
OKLAHOMA WESTERN OKW 5 06-804	Richard Smith, et al. v. Merck & Co., Inc.
PENNSYLVANIA EASTERN PAE 2 06-3307	Marilyn Canavan, et al. v. Merck & Co., Inc., et al.
TEXAS EASTERN TXE 2 06-321 TXE 2 06-322	Alfonso Carmona, et al. v. Merck & Co., Inc., et al. Janie G. Pesina, et al. v. Merck & Co., Inc., et al.
TEXAS NORTHERN TXN 4 06-514	Marvin Garrett, et al. v. Merck & Co., Inc.
TEXAS SOUTHERN TXS 4 06-2630	Deborah Lynn Davis, et al. v. Merck & Co., Inc.
TEXAS WESTERN TXW 5 06-642	Lura Wurzbach v. Merck & Co., Inc.
UTAH UT 2 06-614	Garold Young, etc. v. Merck & Co., Inc.

**INVOLVED COUNSEL LIST (CTO-63)**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

Lee B. Balefsky  
 Kline & Specter  
 1525 Locust Street  
 19th Floor  
 Philadelphia, PA 19102

Cindy K. Bennes  
 Phillips, Lytle, LLP  
 3400 HSBC Center  
 Buffalo, NY 14203

Dana A. Blanton  
 Reed Smith, LLP  
 Two Embarcadero Center  
 Suite 2000  
 San Francisco, CA 94111

Carole Bosch  
 Hersh & Hersh  
 601 Van Ness Avenue  
 Suite 2080  
 San Francisco, CA 94102-6396

Michael K. Brown  
 Reed Smith, LLP  
 355 South Grand Avenue  
 Suite 2900  
 Los Angeles, CA 90071-1514

Brandon L. Buchanan  
 McAfee & Taft  
 211 North Robinson Avenue  
 Two Leadership Square, 10th Floor  
 Oklahoma City, OK 73102-7103

Robert C. Buck  
 Childers, Buck & Schlueter, LLP  
 260 Peachtree Street, N.W.  
 Suite 1601  
 Atlanta, GA 30303

Charles A. Childers  
 Childers Buck & Schlueter  
 260 Peachtree Street  
 Suite 1601  
 Atlanta, GA 30303

David William Crowe  
 Bailey Crowe & Kugler, LLP  
 4600 Bank of America Plaza  
 901 Main Street  
 Dallas, TX 75202

Grant L. Davis  
 Davis, Bethune & Jones, LLC  
 1100 Main Street, Suite 2930  
 P.O. Box 26250  
 Kansas City, MO 64196

Rick G. Davis  
 Davis Law Firm, PLLC  
 117 Park Circle Drive  
 Flowood, MS 39232

William Dinkes  
 Dinkes & Schwitzer  
 112 Madison Avenue  
 10th Floor  
 New York, NY 10016

Jeffrey Keith Douglass  
 Morris, Manning & Martin, LLP  
 1600 Atlanta Financial Center  
 3343 Peachtree Road, N.E.  
 Atlanta, GA 30326

Ronald M. Feder  
 Davis & Feder  
 P.O. Box 6829  
 Gulfport, MS 39506-7018

James P. Frickleton  
 Bartimus, Frickleton, Robertson  
 & Gorny, P.C.  
 11150 Overbrook Drive  
 Suite 200  
 Leawood, KS 66211

Daniel H. Friedman  
 Friedman Law Offices  
 P.O. Box 82009  
 Lincoln, NE 68501

Blanca P. Galo  
 Fulbright & Jaworski, L.L.P.  
 300 Convent Street  
 Suite 2200  
 San Antonio, TX 78205-3792

D. Sharon Gentry  
 Riggs, Abney, Neal, Turpen, Orbison  
 & Lewis  
 5801 N. Broadway Avenue  
 Suite 101  
 Oklahoma City, OK 73118

Brian A. Goldstein  
 Barnes Firm, P.C.  
 17 Court Street, 7th Floor  
 Buffalo, NY 14202-3290

Bryan S. Hatch  
 Stinson, Morrison Law Firm  
 1299 Farnam Street  
 Suite 1501  
 Omaha, NE 68102

Vilia B. Hayes  
 Hughes, Hubbard & Reed, LLP  
 One Battery Park Plaza  
 New York, NY 10004

Russ M. Herman  
 Herman, Herman, Katz & Cotlar,  
 L.L.P.  
 820 O'Keefe Avenue  
 New Orleans, LA 70113

Rosalie Euna Kim  
 Reed Smith, LLP  
 Two Embarcadero Center  
 Suite 2000  
 San Francisco, CA 94111

Norman C. Kleinberg  
 Hughes Hubbard & Reed, LLP  
 One Battery Park Plaza  
 12th Floor  
 New York, NY 10004-1482

Kristopher E. Koepsel  
 Riggs, Abney, Neal, Turpen, Orbison  
 & Lewis  
 502 West 6th Street  
 Tulsa, OK 74119-1010

Aneca E. Lasley  
 Squire, Sanders & Dempsey, LLP  
 1300 Huntington Center  
 41 South High Street  
 Columbus, OH 43215

Jeffrey J. Lowe  
 Jeffrey J. Lowe, PC  
 8235 Forsyth Boulevard  
 Suite 1100  
 St. Louis, MO 63105

## INVOLVED COUNSEL LIST (CTO-63) MDL-1657

Page 2 of 2

Jeffrey J. Lowe  
 Jeffrey J. Lowe, PC  
 8235 Forsyth Boulevard  
 Suite 1100  
 St. Louis, MO 63105

Brian J. Madden  
 Wagstaff & Cartmell, LLP  
 4740 Grand Avenue  
 Suite 300  
 Kansas City, MO 64112

Theodore V. Mayer  
 Hughes Hubbard & Reed, LLP  
 One Battery Park Plaza  
 New York, NY 10004

Nancy A. Mismash  
 Robert J. Debry & Associates  
 4252 South 700 East  
 Salt Lake City, UT 84107

Anita K. Modak-Truran  
 Butler, Snow, O'Mara, Stevens  
 & Cannada, PLLC  
 P.O. Box 22567  
 Jackson, MS 39225-2567

Salvador Monroy  
 6364 So. Lindbergh Street  
 Suite 139  
 Stockton, CA 95206

Robb W. Patryk  
 Hughes Hubbard & Reed, LLP  
 One Battery Park Plaza  
 New York, NY 10004

John J. Placek  
 Law Office of John J. Placek  
 15 North Arlington Heights Road  
 Arlington Hgts., IL 60004

Amy D. Prevatt  
 Alley, Clark, Greiwe & Fulmer  
 701 East Washington Street  
 P.O. Box 3127  
 Tampa, FL 33601-3127

Todd H. Ramsey  
 Bailey Crowe & Kugler, LLP  
 4600 Bank of America Plaza  
 901 Main Street  
 Dallas, TX 75202

Robert J. Renna  
 Robert J. Renna, PC  
 26 Court Street, Suite 2303  
 Brooklyn, NY 11242

Shelly A. Sanford  
 Goforth Lewis Sanford Wilson, LLP  
 1111 Bagby  
 Suite 2200  
 Houston, TX 77002

Christopher A. Seeger  
 Seeger Weiss, LLP  
 550 Broad Street  
 Suite 920  
 Newark, NJ 07102-4573

Michael I. Shapero  
 Shapero & Green  
 220 Signature Square II  
 25101 Chagrin Blvd.  
 Cleveland, OH 44122

Roman A. Shaul  
 Beasley, Allen, Crow, Methvin, Portis  
 & Miles, PC  
 P.O. Box 4160  
 Montgomery, AL 36103-4160

Brian Alan Sher  
 Bryan Cave, LLP  
 161 North Clark, #4300  
 Chicago, IL 60601-3206

Joshua S. Singewald  
 Johnson & Bell, Ltd.  
 33 West Monroe Street  
 Suite 2700  
 Chicago, IL 60603-5404

Randy J. Soriano  
 Bryan Cave, LLP  
 One Metropolitan Square  
 Suite 3600  
 211 N. Broadway  
 St. Louis, MO 63102-2750

Dori K. Stibolt  
 Squire, Sanders & Dempsey, LLP  
 1900 Phillips Point W.  
 777 S. Flagler Drive  
 West Palm Beach, FL 33401-6198

Stephen G. Strauss  
 Bryan Cave, LLP  
 One Metropolitan Square  
 211 N. Broadway, Suite 3600  
 St. Louis, MO 63102-2750

E. Todd Tracy  
 Tracy & Carboy  
 5473 Blair Road, Suite 200  
 Dallas, TX 75231

Eric A. Urbach  
 Maples & Urbach, PLLC  
 701 N. Broadway Ave.  
 Suite 510  
 Oklahoma City, OK 73102

Leila H. Watson  
 Cory, Watson, Crowder  
 & DeGaris, PC  
 2131 Magnolia Avenue  
 Suite 200  
 P.O. Box 55927  
 Birmingham, AL 35255-5972

Kent M. Williams  
 1300 Godward Street, N.E.  
 Suite 6200  
 Minneapolis, MN 55413

Gary L. Wilson  
 Robins, Kaplan, Miller & Ciresi  
 2800 LaSalle Plaza  
 800 LaSalle Avenue  
 Minneapolis, MN 55402-2015

Phillip A. Wittmann  
 Stone, Pigman, Walther  
 & Wittmann, LLC  
 546 Carondelet Street  
 New Orleans, LA 70130-3588

Alexander W. Wright  
 Wayne Wright, LLP  
 5707 IH-10 West  
 Suite 101  
 San Antonio, TX 78201

James C. Wyly  
 Patton, Roberts, McWilliams  
 & Capshaw, LLP  
 P.O. Box 6128  
 Texarkana, TX 75505-6128

**INVOLVED JUDGES LIST (CTO-63)**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

~~Hon. Sandra Brown Armstrong~~  
~~U.S. District Judge~~  
~~390-C Ronald V. Dellums Fed. Bldg.~~  
~~1301 Clay Street~~  
~~Oakland, CA 94612-5217~~

~~Hon. Henry E. Autrey~~  
~~U.S. District Judge~~  
~~10N Thomas F. Eagleton~~  
~~U.S. Courthouse~~  
~~111 South Tenth Street~~  
~~St. Louis, MO 63102~~

Hon. Joseph F. Bataillon  
 Chief Judge, U.S. District Court  
 3259 Roman L. Hruska  
 U.S. Courthouse  
 111 South 18th Plaza  
 Omaha, NE 68102

Hon. Mary L. Cooper  
 U.S. District Judge  
 5000 Clarkson S. Fisher Federal  
 Bldg. & U.S. Courthouse  
 402 E. State Street  
 Trenton, NJ 08608

Hon. George B. Daniels  
 U.S. District Judge  
 630 Daniel Patrick Moynihan  
 U.S. Courthouse  
 500 Pearl Street  
 New York, NY 10007

Hon. Leonard E. Davis  
 U.S. District Judge  
 United States District Court  
 106 Federal Building  
 211 West Ferguson Street  
 Tyler, TX 75702

Hon. William S. Duffey, Jr.  
 U.S. District Judge  
 1721 Richard B. Russell Federal  
 Building & U.S. Courthouse  
 75 Spring Street, S.W.  
 Atlanta, GA 30303

Hon. Orlando L. Garcia  
 U.S. District Judge  
 John H. Wood, Jr. U.S. Courthouse  
 655 East Durango Boulevard  
 San Antonio, TX 78206

Hon. Jimm Larry Hendren  
 Chief Judge, U.S. District Court  
 United States District Court  
 559 John Paul Hammerschmidt Fed. Bldg.  
 35 East Mountain Street  
 Fayetteville, AR 72701

Hon. Lynn N. Hughes  
 U.S. District Judge  
 11122 Bob Casey U.S. Courthouse  
 515 Rusk Avenue  
 Houston, TX 77002

Hon. Sterling Johnson, Jr.  
 Senior U.S. District Judge  
 720 S United States Courthouse  
 225 Cadman Plaza East  
 Brooklyn, NY 11201

Hon. Lawrence K. Karlton  
 Senior U.S. District Judge  
 15-200 U.S. Courthouse  
 501 I Street  
 Sacramento, CA 95814

Hon. Terence C. Kern  
 U.S. District Judge  
 411 Page Belcher Federal Bldg.  
 & U.S. Courthouse  
 333 West 4th Street  
 Tulsa, OK 74103-3819

Hon. Dale A. Kimball  
 U.S. District Judge  
 220 Frank E. Moss U.S. Courthouse  
 350 South Main Street  
 Salt Lake City, UT 84101

Hon. David G. Larimer  
 U.S. District Judge  
 250 Kenneth B. Keating Federal Building  
 100 State Street  
 Rochester, NY 14614-1324

~~Hon. Stephen N. Limbaugh~~  
~~Senior U.S. District Judge~~  
~~Thomas F. Eagleton U.S. Courthouse~~  
~~111 South Tenth Street, 3rd Floor~~  
~~St. Louis, MO 63102-9958~~

Hon. John W. Lungstrum  
 Chief Judge, U.S. District Court  
 517 Robert J. Dole U.S. Courthouse  
 500 State Avenue  
 Kansas City, KS 66101-2400

Hon. Paul A. Magnuson  
 Senior U.S. District Judge  
 730 Warren E. Burger Federal Building  
 316 North Robert Street  
 St. Paul, MN 55101

Hon. Terry R. Means  
 U.S. District Judge  
 201 U.S. Courthouse  
 501 West 10th St.  
 Fort Worth, TX 76102

Hon. Stephan P. Mickle  
 U.S. District Judge  
 367 Federal Building  
 401 Southeast First Avenue  
 Gainesville, FL 32601

Hon. Donald C. Nugent  
 U.S. District Judge  
 15A Carl B. Stokes U.S. Courthouse  
 801 West Superior Avenue  
 Cleveland, OH 44114-1842

Hon. David L. Russell  
 U.S. District Judge  
 3309 U.S. Courthouse  
 200 N.W. 4th Street  
 Oklahoma City, OK 73102

~~Hon. Charles A. Shaw~~  
~~U.S. District Judge~~  
~~Thomas F. Eagleton U.S. Courthouse~~  
~~111 South Tenth Street, 12th Floor~~  
~~St. Louis, MO 63102-9958~~

Hon. R. Barclay Surrick  
 U.S. District Judge  
 8614 James A. Byrne U.S. Courthouse  
 601 Market Street  
 Philadelphia, PA 19106-1796

INVOLVED JUDGES LIST (CTO-63) MDL-1657

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Hon. John R. Tunheim  
U.S. District Judge  
13E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. W. Keith Watkins  
U.S. District Judge  
F-300 Frank M. Johnson Jr. Federal  
Courthouse Annex  
One Church Street  
Montgomery, AL 36104

Hon. Ronald A. White  
U.S. District Judge  
United States District Court  
P.O. Box 1009  
Muskogee, OK 74402

Hon. Henry T. Wingate  
Chief Judge, U.S. District Court  
109 James O. Eastland U.S. Courthouse  
245 East Capitol Street  
Jackson, MS 39201

Hon. James B. Zagel  
U.S. District Judge  
Everett McKinley Dirksen U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604



**INVOLVED CLERKS LIST (CTO-63)**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

Christopher R. Johnson, Clerk  
523 John Paul Hammerschmidt  
Federal Building  
35 East Mountain Street  
Fayetteville, AR 72701-6420

David J. Maland, Clerk  
100 East Houston Street  
#125  
Marshall, TX 75670-4144

Debra P. Hackett, Clerk  
U.S. District Court  
P.O. Box 711  
Montgomery, AL 36101-0711

Denise Lucks, Clerk  
U.S. District Court  
P.O. Box 83468  
Lincoln, NE 68508-3468

Geri M. Smith, Clerk  
United States District Court  
2-161 Carl B. Stokes U.S. Courthouse  
801 West Superior Avenue  
Cleveland, OH 44113

J. Michael McMahon, Clerk  
Daniel Patrick Moynihan  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

J.T. Noblin, Clerk  
P.O. Box 23552  
Jackson, MS 39225-3552

Jack L. Wagner, Clerk  
4-200 U.S. Courthouse  
501 I Street  
Sacramento, CA 95814-2322

~~James G. Woodward, Clerk~~  
~~3300 Thomas F. Eagleton~~  
~~U.S. Courthouse~~  
~~111 South Tenth Street~~  
~~St. Louis, MO 63102-1116~~

Karen S. Mitchell, Clerk  
310 U.S. Courthouse  
501 West 10th Street  
Fort Worth, TX 76102-3643

Luther D. Thomas, Clerk  
2211 Richard B. Russell Fed.  
Bldg. & U.S. Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303-3361

Markus B. Zimmer, Clerk  
150 Frank E. Moss U.S. Courthouse  
350 South Main Street  
Salt Lake City, UT 84101-2180

Michael E. Kunz, Clerk  
2609 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1797

Michael N. Milby, Clerk  
United States District Court  
P.O. Box 61010  
Houston, TX 77208-1010

Michael W. Dobbins, Clerk  
Everett McKinley Dirksen  
U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

Philip B. Lombardi, Clerk  
411 Page Belcher Federal Bldg.  
& U.S. Courthouse  
333 W. 4th Street  
Tulsa, OK 74103-3819

Ralph L. DeLoach, Clerk  
259 Robert J. Dole U.S. Courthouse  
500 State Avenue  
Kansas City, KS 66101-2430

Richard Sletten, Clerk  
202 U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

~~Richard W. Wicking, Clerk~~  
~~400 S Ronald V. Dellums Fed. Bldg.~~  
~~1301 Clay Street~~  
~~Oakland, CA 94612-5212~~

Robert C. Heinemann, Clerk  
130 United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201-1818

Robert D. Dennis, Clerk  
1210 U.S. Courthouse  
200 N.W. 4th Street  
Oklahoma City, OK 73102-3092

Rodney C. Early, Clerk  
2120 Kenneth B. Keating Fed. Bldg.  
100 State Street  
Rochester, NY 14614-1368

William B. Guthrie, Clerk  
P.O. Box 607  
Muskogee, OK 74402-0607

William G. Putnicki, Clerk  
John H. Wood, Jr. U.S. Courthouse  
655 East Durango Boulevard  
San Antonio, TX 78206-1198

William M. McCool, Clerk  
243 Federal Building  
401 Southeast First Avenue  
Gainesville, FL 32601-6805

William T. Walsh, Clerk  
2020 Clarkson S. Fisher Fed. Bldg.  
& U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608



Hon. Joseph F. Bataillon  
Chief Judge, U.S. District Court  
3259 Roman L. Hruska U.S. Courthouse  
111 South 18th Plaza  
Omaha, NE 68102

Hon. Mary L. Cooper  
U.S. District Judge  
5000 Clarkson S. Fisher Federal  
Bldg. & U.S. Courthouse  
402 E. State Street  
Trenton, NJ 08608

Hon. George B. Daniels  
U.S. District Judge  
630 Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Hon. Leonard E. Davis  
U.S. District Judge  
United States District Court  
106 Federal Building  
211 West Ferguson Street  
Tyler, TX 75702

Hon. Eldon E. Fallon  
U.S. District Judge  
C-456 U.S. Courthouse  
500 Poydras Street  
New Orleans, LA 70130

Hon. Orlando L. Garcia  
U.S. District Judge  
John H. Wood, Jr. U.S. Courthouse  
655 East Durango Boulevard  
San Antonio, TX 78206

Hon. Jimm Larry Hendren  
Chief Judge, U.S. District Court  
United States District Court  
559 John Paul Hammerschmidt Fed. Bldg.  
35 East Mountain Street  
Fayetteville, AR 72701

Hon. Lynn N. Hughes  
U.S. District Judge  
11122 Bob Casey U.S. Courthouse  
515 Rusk Avenue  
Houston, TX 77002

Hon. Sterling Johnson, Jr.  
Senior U.S. District Judge  
720 S United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

Hon. Lawrence K. Karlton  
Senior U.S. District Judge  
15-200 U.S. Courthouse  
501 I Street  
Sacramento, CA 95814

Hon. Terence C. Kern  
U.S. District Judge  
411 Page Belcher Federal Bldg. &  
U.S. Courthouse  
333 West 4th Street  
Tulsa, OK 74103-3819

Hon. Dale A. Kimball  
U.S. District Judge  
220 Frank E. Moss U.S. Courthouse  
350 South Main Street  
Salt Lake City, UT 84101

Hon. David G. Larimer  
U.S. District Judge  
250 Kenneth B. Keating Federal Bldg.  
100 State Street  
Rochester, NY 14614-1324

Hon. Stephen N. Limbaugh  
Senior U.S. District Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street, 3rd Floor  
St. Louis, MO 63102-9958

Hon. John W. Lungstrum  
Chief Judge, U.S. District Court  
517 Robert J. Dole U.S. Courthouse  
500 State Avenue  
Kansas City, KS 66101-2400

Hon. Paul A. Magnuson  
Senior U.S. District Judge  
730 Warren E. Burger Federal Building  
316 North Robert Street  
St. Paul, MN 55101

Hon. Terry R. Means  
U.S. District Judge  
201 U.S. Courthouse  
501 West 10th St.  
Fort Worth, TX 76102

Hon. Stephan P. Mickle  
U.S. District Judge  
367 Federal Building  
401 Southeast First Avenue  
Gainesville, FL 32601

Hon. Donald C. Nugent  
U.S. District Judge  
15A Carl B. Stokes U.S. Courthouse  
801 West Superior Avenue  
Cleveland, OH 44114-1842

Hon. David L. Russell  
U.S. District Judge  
3309 U.S. Courthouse  
200 N.W. 4th Street  
Oklahoma City, OK 73102

Hon. Charles A. Shaw  
U.S. District Judge  
Thomas F. Eagleton U.S. Courthouse  
111 South Tenth Street, 12th Floor  
St. Louis, MO 63102-9958

Hon. R. Barclay Surrick  
U.S. District Judge  
8614 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1796

Hon. Thomas W. Thrash, Jr.  
U.S. District Judge  
2188 Richard B. Russell Federal  
Building & U.S. Courthouse  
75 Spring Street, S.W.  
Atlanta, GA 30303-3361

Hon. John R. Tunheim  
U.S. District Judge  
13E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. W. Keith Watkins  
U.S. District Judge  
F-300 Frank M. Johnson Jr. Federal  
Courthouse Annex  
One Church Street  
Montgomery, AL 36104

Hon. Ronald A. White  
U.S. District Judge  
United States District Court  
P.O. Box 1009  
Muskogee, OK 74402

Hon. Henry T. Wingate  
Chief Judge, U.S. District Court  
109 James O. Eastland U.S. Courthouse  
245 East Capitol Street  
Jackson, MS 39201

Hon. James B. Zagel  
U.S. District Judge  
Everett McKinley Dirksen U.S. Courthouse  
219 South Dearborn Street  
Chicago, IL 60604

\*\*\*\* CLERK ADDRESS LABELS (Below)  
\*\*\*\*

Christopher R. Johnson, Clerk  
523 John Paul Hammerschmidt  
Federal Building  
35 East Mountain Street  
Fayetteville, AR 72701-6420

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

Thurgood Marshall Federal Judiciary Building

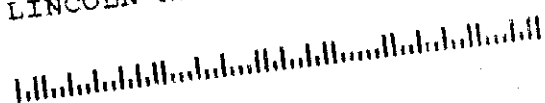
One Columbus Circle, N.E.

Room G-255, North Lobby

Washington, DC 20002-8004

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